

Practitioner's Docket No. 18438/09003

PATENT

Preliminary Classification:

Proposed Class: 424

Subclass:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Steven P. Pulaski; Susan Kundel

For (title): METHOD AND COMPOSITIONS FOR THE TREATMENT AND PREVENTION OF
PAIN AND INFLAMMATION

1. Type of Application

This application is for a continuation-in-part (C-I-P).

EXPRESS MAILING UNDER 37 C.F.R. § 1.10*

(Express Mail label number is *mandatory*.)

(Express Mail certification is *optional*)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date February 20, 2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EL999246633US.

Date:

2/19/04

Debra Dunn-Brown

Type or print name of person mailing paper

Debra Dunn-Brown
Signature of person certifying

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2. Benefit of Prior U.S. Application (35 U.S.C. §§ 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. application. Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED.

3. Papers Enclosed

A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

171 Page(s) of Specification
4 Page(s) of Claims

B. Other Papers Enclosed

1 Page(s) of Abstract
1 Page(s) of Express Mail Certificate
1 Page(s) of Fee Transmittal Sheet
5 Page(s) of Patent Application Data Sheet
1 Page(s) of Check No. 24078 for \$1,018.00
1 Page(s) of Return Postcard

4. Declaration or Oath

Not Enclosed.

5. Inventorship Statement

The inventorship for all the claims in this application is the same.

6. Language

English

7. Fee Calculation (37 C.F.R. § 1.16)

Regular Application

CLAIMS AS FILED										
		Number Filed		Number Extra		Rate		Basic Fee 37 C.F.R. § 1.16(a) \$770.00		
Total										
Claims (37 C.F.R. § 1.16(c))		29	–	20	=	9	x \$	18.00	= \$	162.00
Independent										
Claims (37 C.F.R. § 1.16(c))		4	–	3	=	1	x \$	86.00	= \$	86.00

1.16(b))

Multiple Dependent Claim(s), if any (37 C.F.R § 1.16(d))	\$	290.00	\$	0.00
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Filing Fee Calculation

\$1,018.00

8. Fee Payment Being Made at This Time

Enclosed

Filing Fee

\$1,018.00

Total Fees Enclosed

\$1,018.00

9. Method of Payment of Fees

Attached is Check No. 24078 in the amount of \$1,018.00.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 50-2548.

A duplicate of this paper is attached.

10. Instructions as to Overpayment

Credit Account No. 50-2548.

**ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.
APPLICATION CLAIMED
(37 C.F.R. § 1.78)**

11. Relate Back

A. 35 U.S.C. § 119(e)

"This application claims the benefit of U.S. Provisional Application No.:

APPLICATION NO.

FILING DATE

60/312,211

08/14/2001"

Language of prior filed provisional application

The above identified prior filed provisional application, namely application 60/312,211, filed 08/14/2001, whose benefit is being claimed was filed in the English language.

B. 35 U.S.C. Sections 120, 121 and 365(c)

"This application is a continuation-in-part of copending application number 10/215,539 filed on August 9, 2002."

"The nonprovisional application designated above, namely application 10/215,539, filed August 9, 2002, claims the benefit of U.S. Provisional Application No.:

APPLICATION NO.

FILING DATE

60/312,211

08/14/2001"

12 Maintenance of Copendency of Prior Application

No petition for Extension of Time is required in Prior Application

13 Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

- (a) This application discloses additional disclosure and a new declaration or oath is being filed. With respect to the prior applications, the inventors in this application are the same.

14 NOTIFICATION IN PARENT APPLICATION OF THIS FILING

A notification of the filing of this continuation-in-part is being filed in the parent application, from which this application claims priority under 35 U.S.C. § 120.

Date: _____

2/19/04

Reg. No.: 52,284

Tel. No.: 864-250-2298

Signature of Practitioner

Robert S. Thomas

Nelson Mullins Riley & Scarborough, LLP

P.O. Box 11070

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021904

17231 U.S. PTO

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 1,018.00)

Complete if Known

Application Number	Not Assigned Yet
Filing Date	February 20, 2004
First Named Inventor	Pulaski et al
Examiner Name	Not Assigned Yet
Art Unit	Not Assigned Yet
Attorney Docket No.	18438/09003

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:Deposit Account Number
Deposit Account Name

50-2548

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 770.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	29	-20** = 9	18 = 162
Independent Claims	4	-3** = 1	86 = 86
Multiple Dependent			0 = 0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 248.00)				

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

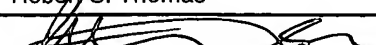
Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Robert S. Thomas	Registration No. (Attorney/Agent)	52,284	Telephone	864-250-2238
Signature		Date	February 19, 2004		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Steven P. Pulaski, Susan Kundel

Application No.:

Group No.:

Filed:

Examiner:

For: METHOD AND COMPOSITIONS FOR THE TREATMENT AND PREVENTION OF PAIN AND INFLAMMATION

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EL999246633US

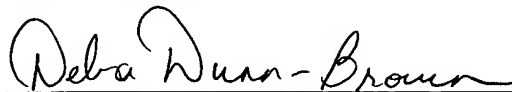
Date of Deposit 02/19/2004

I hereby state that the following *attached* paper or fee

1. Fee Transmittal (1 Page)
2. New Application Transmittal with Added Pages for Application Transmittal Where Benefit of Prior US Applications Claimed (w/duplicate) (5 pages)
3. Patent Application Data Sheet (5 pages)
4. C-I-P Patent Application with title page and abstract (177 pages)
5. Check No. 24078 for \$1,018.00 (1 page)
6. Return Postcard (1 page)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Debra Dunn-Brown



Signature of person mailing paper or fee